

# Special on Truck Safety, p. 6-7

## CONVOY DISPATCH

Voice of the Teamster Rank and File Since 1975



Dec. 1980  
No. 11

Teamsters for a Democratic Union

P.O. Box 10128, Detroit, MI 48210 Phone (313) 842-2600

### Move on Hours of Service

## TDU to Sue D.O.T.

TDU—PROD has committed itself to sue the Department of Transportation/Bureau of Motor Carrier Safety for needless delay of the Hours of Service reform. "The Dept. of Transportation and Bureau of Motor Carrier Safety have dragged their feet in moving on these Hours of Service Regulations for too long already" said TDU's Washington attorney, Michael Goldberg. "It's time for action."

This action comes over two years after many PROD and TDU members testified in favor of changing the BMCS regulations governing hours of

service in general and babysitting the phone in particular.

"Hours of Service is our number one safety priority," added Ken Paff, TDU Organizer. "It's a problem we hear about from most of the road drivers who call our office. We aren't going to let the government stall it into the ground."

TDU—PROD'S efforts will center on abolishing babysitting the phone, a practice which not only robs the road driver of his off-duty time but which permits irregular dispatches which can be a safety hazard.

"What we are fighting is

the irregularity of dispatch times" said John Torbet, driver for Delta Lines and Recording Secretary for Local 468. "This irregular dispatch poses a safety hazard, as it puts drivers on the road who are already tired." Now PROD-TDU will press home that message to the Dept. of Transportation in Washington letting them know that Teamster road drivers feel that the time for 'study' and delay is past—that it's time to act for safety.

(For more on the PROD—TDU push on Hours of Service, see page 3.)

## Rank & File Election Gains

### Clean Sweep in El Paso

TDUers and other rank and file activists celebrated well into the night in El Paso, Texas, on November 8, as they had just elected their full rank & file slate to office in Local 941.

"It was a fantastic victory," Bill Rusca, Roadway driver, told *Convoy Dispatch*. "We beat Ellison and company by almost 2 to 1."

Michael Ellison was the principal officer of the local, who was put into power originally by the Joint Council hierarchy. By some coincidence the head of Joint Council 80 is Ellison's father-in-law!

And what will Ellison do? Speculation is that he will be given another over-paid position in some other local, if the members there allow it.

Danny Diaz, the new President told *Convoy Dispatch* that salaries will be kept low to provide more for representation. He also said that "When

we negotiate a contract, we'll take one or two members elected by the shop to be on the negotiating committee. And we will put out a bulletin at all companies where shop stewards were appointed by Ellison telling them if they want to have an election for shop steward all they have to do is notify the hall—they'll get an election."

A TDU Chapter was formed in El Paso back in June, and provided the initial support for pulling a slate together. Many rank and file members got involved in the campaign, some issuing their own signed literature, or taking off work to campaign.

The result was a solid victory. Now the members will have to back up their new officers, become involved in their local, and work with TDUers across the country for better contracts and a better Teamsters Union.

## "The Dissidents Are Winning in Michigan"

Several important local elections are indications of the growing strength of the reform movement in Michigan.

Last month we reported on the upset victory of TDUER Jerry Bliss for Sec-Treas of Local 337, Michigan's largest. International VP Bobby Holmes narrowly won the presidency there, but the election is expected to be overturned. The NLRB has already issued 4 charges.

On Nov 21, TDUER Pat Woodbeck lost a recount in Pontiac Local 614 by one vote, and protests will likely go to the Labor Dept..

Fitz's home Local 299 saw a dissident victory six months ago in a Labor Dept. supervised election.

In Saginaw Local 468 incum-

bent Neil Dalton won, but with only 39% of the vote. TDUER Dan Campbell and another challenger split the vote.

In Kalamazoo Local 7 the incumbents also won, but faced their first challenge in many years from TDUER Paul Thierbach. A full slate is running in Lansing Local 580 which has been a family affair for years. Battle Creek Local 34 saw the incumbent win by a handful. In Grand Rapids Local 406 members are picketing the hall every day over loss of jobs.

The momentum has shifted, and TDU aims to build in each and every local. As one Local officer put it, "The dissidents are going to win in Michigan, and Fitzsimmons better get used to it."

## Give Yourself a Christmas Present

How would you like this for Christmas — an honest, democratic Union, a strong Union? One that stands for the members, even when it means a fight with the employers.

Sound good?

If we could give it to you, we would. But we can't. Only **you** can make this Christmas wish come true, by joining with thousands of other Teamsters who are standing up for Unionism by joining TDU.

Name..... Local.....

Address.....

City..... State/Prov..... Zip.....

Phone..... Company.....

- ☐ \$20 membership fee, includes subscription to **CONVOY DISPATCH**.
- ☐ \$25 optional membership fee (\$5 is rebated to the local TDU Chapter).
- ☐ \$10 dues for spouses, retirees, and Teamsters grossing less than \$10,000.

☐ I want to distribute **CONVOY DISPATCH**.

Prices per issue are: ☐ 100-\$9 ☐ 50-\$5 ☐ 20-\$4 ☐ 10-\$3

☐ I want to help build TDU by signing up members or helping organize a meeting. Contact me.

## Join TDU!

Return to: TDU, P.O. Box 10128, Detroit, Michigan 48210



# LETTERS

## Fumes in the Cab in Wisconsin

Dear Convoy Dispatch,

I read your article in the June-July issue entitled "Fumes in the Cab." I drove for Tractor Transport Corp., West Allis, Wisconsin from January 1969 to July 1978. I jackknifed my truck in Nov. 1975. It was a 1974 cabover KW. The truck was not repaired properly at the time. The company did it in their own shop. The boot around the shift never fit tight. They just pounded it out the best way they knew, instead of taking it to a body shop.

A few months after it was repaired it started leaking fumes into the cab. When I would start the truck in the morning, the cab would fill with fumes.

I started to get sick in 1976. I went to see a doctor in Portage, Wisconsin. I had a sore throat and a headache. In 1976 I was put into the hospital in Portage.

I went back to the doctor in 1977 for numbness and headache. From that time on it kept getting worse and worse.

In June of 1978 I went to the doctor for chest pains. In July

of 1978 I began to lose my vision. My doctor thought it was multiple sclerosis. I was tested for MS. The results were negative.

I applied for workmans compensation. I had a hearing in Madison. The insurance company engineer said there were no fumes getting into the cab when they checked it out. The day the insurance company was to check out the truck, Tractor Transport put the truck into their shop. They put a new boot around the shift and plugged up the other leads. Then the engineer from the insurance company road tested the truck. His report said there were no fumes.

The insurance company engineer stated at the hearing "Fumes will not hurt you."

I have been doctoring ever since. I went to the VA hospital at Iron Mountain, Michigan. I had a complete check up. They told me my lungs aren't pushing enough oxygen into my blood. This is what is causing the numbness.

Isn't there some law that says "all over the road trucks are supposed to be in A-1 running condition when they go on the road."?

Thank you.

Sincerely,  
Jerome Wallow  
Local 200, Gliden, Wisconsin

## Toledo Drivers Sold Out

Dear TDU,

We as road drivers at Signal Delivery had never unloaded or loaded trailers until last year. When Signal started this practice I filed a grievance on August 14, 1979. It was heard in Toledo, Ohio that December at the Local Level (Local 20). It was deadlocked there and was then heard in Columbus on January 14, 1980, where it was also deadlocked. It was supposed to be heard in Chicago on March 11-12, but as the company could not make it there was a delay until June 10-11.

We lost the grievance in June at the JAC because my Business Agent did a poor job. I had given him six pages of evidence and he used none of it. I had over 75 drivers sign a petition in support of the grievance—and they ignored this. I kept waiting for a chance to speak up, and before I knew it we were adjourned for a decision. We lost something that, if the union was doing its job, we should have won at the local level.

Thank you,  
Joseph Nesbitt  
Signal Delivery  
Local 20, Toledo, Ohio

## Babysitting the Phone in Texas

Dear TDU,

There are many freight lines operating without the benefit of departure times, which as you know, results in long periods of being "handcuffed to the telephone." If a driver is not available when the company calls, they can call another driver and bypass him. As an example: a driver retires at 9:00 PM, expecting to depart the following morning at 6:00 AM. But his run is delayed, and he has to remain at home until four (4) or 5:00 that evening, after being awake all day and then driving 8 or 10 hours he is tired and probably gets drowsy before arriving at his destination.

I do not have the solution

unless a driver would be notified in advance, say 8 or 10 hours in advance, when he would depart on his run. A large percentage of these freight lines certainly "preach" safety, however they do not practice it if it costs too much! I allege that being forced to babysit the telephone contributed to 'pill popping' also.

I have been driving for hire for 42 years, and feel qualified to comment on this subject. Bankers, lawyers, and most businessmen have access to sleep immediately prior to reporting to work, and a driver should be afforded the same privilege.

Sincerely,  
J.L. Abernathy  
Local 941 Pecos, Texas

## NY: 'Change It'

Dear TDU,

In my 33 years as an IBT member I have been in Locals 807, 707, 202, 46, 553, and now in Local 27. I have found that many IBT members do not know the importance of Local Bylaws and the IBT Constitution. In some of these locals, claims are made that they do not have any bylaws, or that they are not important. I think that our organization should have a page or a column devoted to educating members about the importance of the Constitution and Bylaws as part of retaining and strengthening democracy in our union.

Leo Rabouine  
Local 27, Brooklyn, NY

(Editors Note: For the past year TDU has run such a column, "Change It" by Doug Allan, which appears regularly on page 10.)

## Tenn. Thanks

Dear TDU,

I would like to say that I think the Convention was a great success. Personally I really enjoyed every minute of it. I would just like to say thanks for a great, great bunch of people. I might add that each of them are interested in their fellow workers as well as in the welfare of their families.

Take care,  
Billy Carter  
Mason-Dixon Lines  
Local 549, Kingsport, Tenn.

## Moving?

Notify us of your new address or you will not receive your monthly Convoy Dispatch. The paper is sent third class bulk mail and will not be forwarded to you.

Use the membership application form in any issue of the paper to notify us and write on top of the form—CHANGE OF ADDRESS.

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## WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1980 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our Rank & File Bill of Rights then how about joining us?

### TDU STEERING COMMITTEE

#### Co-Chairs:

Doug Allan, Local 208  
Pete Camarata, Local 299  
Bilal Chaka, Local 692  
Ted Katsaros, Local 282

#### Organizer:

Ken Paff, Local 407

#### Trustees:

Dan Hall, Local 375  
Eileen Janadia (Local 337)  
Gary Kuhn, Local 20

Mike Friedman, Local 407  
Keith Gallagher, Local 229  
Denise Gillespie, Local 676  
Ed Howell, Local 391  
Diana Kilmury, Local 213  
Charis Moore, Local 315  
Mel Packer, Local 800

#### Alternates:

Jack Thomas, Local 705  
George Feld, Local 200  
Bob Leslie, Local 147

## RANK AND FILE BILL OF RIGHTS

**I. DEMOCRATIC BY-LAWS.** All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

**II. DIRECT ELECTION OF OFFICERS.** General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

**III. A FAIR GRIEVANCE PROCEDURE.** Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

**IV. PRESERVATION OF WORKING CONDITIONS.** The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

**V. SAFETY AND HEALTH.** We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

**VI. EIGHT HOUR DAY AND FIVE DAY WEEK.** Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

**VII. A DECENT PENSION.** Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

**VIII. JUST SALARIES FOR OFFICERS.** A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

**IX. EQUALITY AMONG TEAMSTERS.** Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

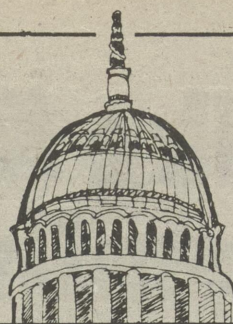
**X. END TO DISCRIMINATION.** Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.





NEWS FROM THE

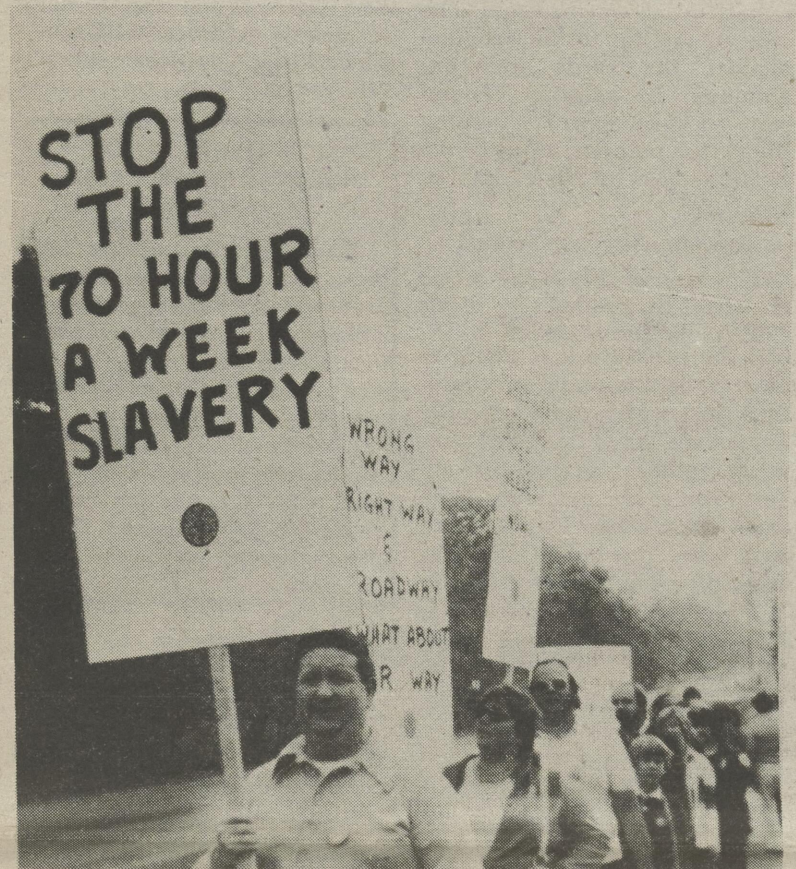
# WASHINGTON OFFICE



The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you. We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU  
Room 612 — 2000 P St., NW  
Washington, D.C. 20036  
(202)-785-3707

## PROD TDU Hits Babysitting The Phone



Road drivers have been fighting 70 Hour Slavery and Babysitting the phone for years. TDU doesn't plan to let the D.O.T. drag the fight out for even longer

"Any further off-duty regulation must be clearly written to absolutely guarantee that when a driver logs any such time off-duty...he must have no responsibilities, duties, is not accountable to the employer, and may freely dispose of his or her time and move about without any restrictions or limitations as he or she may please."

These are the words of Dave

Gaibis, a Teamster in Local 261—and they were spoken over two years ago, on November 16, 1978, in Washington, DC at the Hours of Service Regulation hearings conducted by the Dept. of Transportation.

But this position, clearly put forward by PROD and TDU over two years ago, has not been heeded by the Dept. of Transportation. That is why PROD-TDU has made a com-

mitment to legal action to push these new regulations forward.

"The Dept. of Transportation says that it has to study the problems and see what economic impact any new rules would have" said John Torbet, a road driver for Delta Lines in Oakland, California. "But if they came to my company they would discover that it would cost the company only 2 hours pay per week tops to assign a regular dispatch time for 2/3 of the bid drivers." Torbet was referring to the claims by the Dept. of Transportation that its rule making has been held up because it must first complete an economic study on the costs of abolishing babysitting the phone before it can move forward.

"How can they measure the costs of a man's freedom, of his safety and that of everyone on the roads?" said Leavern Pate, a road driver for Roadway, Local 667 Memphis, Tenn. TDU-PROD agrees, and is committed to moving forward and press for an early publication of the new regulations.

### TDU Legal Action on VCR

On November 17, Arthur Fox filed a brief in the U.S. Court of Appeals in Washington, DC to protect a hard won safety gain that took PROD 7 years to win. The safety regulation in question forces carriers to: 1) Certify whether or not a defect needs to be repaired; and 2) make available a copy of the vehicle condition report (VCR) in the cab of the truck for the driver. This rule has now been challenged by the American Trucking Association and UPS who insist the VCR should be kept in the Terminal and that the driver should not be able to have a copy for himself. PROD-TDU has countered with Fox's counter suit.

This safety rule originated in a 1973 petition by PROD to the Dept. of Transportation. The rule went into effect April 1, 1980. But it was immediately attacked by management and the UPS/ATA legal challenge was the upshot.

Our defensive legal action is needed because, unfortunately,

the Dept. of Transportation did not make clear when it published the regulation why it is important that the VCR be in the tractor. This omission was doubly unfortunate because all of the arguments were included in the original 1973 PROD petition.

"It is essential that the VCR be on board the tractor" said Fox, "because it provides evidence for grievances, for BMCS complaints, for law enforcement officers in proving that the company is in violation of safety regulations."

Indeed, the VCR is a valuable safety tool that has helped many road drivers force their companies to improve the condition of the equipment. It could be used further in backing up grievances filed under Article 16 (safety) of the National Master Freight Agreement. But first we will have to beat back this legal counter-attack launched by management to protect the rights it took us 7 years to win.

### Anti-Labor Measures To Hit the New Congress

"Now organized labor is going to scream to high heaven, but I think we may have the votes now."

— Jake Garn, new chairman of the Senate Banking Committee

The Davis Bacon Act protects construction workers, including many Teamsters, by assuring that any construction projects using Federal funds will pay union scale. But Jake Garn (R-Utah), the newly elevated chairman of the Senate Banking Housing and Urban Affairs Committee, says that he believes Davis Bacon "must go" in order to "stimulate the housing industry."

The minimum wage sets the floor on the labor market, a market in which all Teamsters

compete. But Senator Orrin Hatch, due to become the new chairman of the Senate Labor and Human Resources Committee in January, intends to introduce a bill reducing the minimum wage for teenagers. Hatch's proposal would permit employers covered by the minimum wage to hire teenagers at a scale of only 75% of the current minimum of \$3.10 an hour, or a new low of \$2.32 an hour! Hatch says a new minimum wage is needed because "business just aren't going to pay that much for young people who are only worth \$2.50 an hour."

The time is now for the IBT to launch an all out campaign to save both the minimum wage and the Davis Bacon Act.

### Dangerous Pension Cases Decided Against Rank and File

On March 31, a U.S. Court for the Eastern District of Pennsylvania ruled that Leon Rosen could be legally denied a pension because his employer had failed to make all of the necessary contributions to the Pension Fund. The Court said that the fact that Rosen had paid all of his share of pension contributions, and had even paid part of his employers share as well, made no difference at all in determining the case.

The implications are ominous: as with a case now pending concerning the New England Teamster Pension Fund, more and more Teamsters' pensions are being threatened as workers lose their pensions because their employer fails to make the contributions required under the contract and the union does nothing to enforce this collection.

That's why TDU-PROD will be testifying at the President's Commission on Pensions in December—to press home our point on automatic vesting and portability of pensions. We will be telling our lawmakers loud and clear that Teamsters need more protection for their pensions, not less.

On May 1, 1980, the U.S. Court of Appeals (7th Circuit) handed down a ruling against Claude Wardle Sr., a Teamster owner-operator, which could threaten the pensions of all owner-operators covered by the Central States Pension Fund.

The Court ruled that the Fund has the power to decide whether or not the owner-operator is an "employee" or an "independent contractor." And if, as in the case of Wardle, they decide that he is a contractor, the fund can deny him his pension!

The Court made this ruling even though they believed that, on the evidence, Wardle actually was an employee. But they said "Although we might...have decided that Wardle was an employee...we cannot overturn the decision of the Plan's trustees" as it was neither "arbitrary or capricious." The ruling has ominous implications for all Teamsters owner-operators, even those who must pay contributions to the Fund—and who are at the tender mercies of the Fund's Trustees if they hope to receive what many of us had always believed to be a legally protected pension.

### TDUer Testifies On Pension Abuse

by Chicago TDU

In mid November Chicago TDU member Bob McGinnis of Local 710 went to Washington to testify before the President's Pension Commission.

McGinnis listed the following areas of pension and health & welfare funds abuse that need reform:

- Companies laying off workers with many years seniority and calling them back to work as casuals—since they don't have to pay pension contributions for casuals and casuals receive no pension credit for the time they work.

- Locals 710 and 705 have withdrawn coverage of stepchildren from health and welfare. Local 705 has already withdrawn survivor benefits for brothers and sisters.

- Trustees have awarded up to \$1 million in legal fees for "suspicious" cases involving the sale of Fund assets.

- Local 710 sued, unsuccessfully, to withdraw the union from the protection of the Pension Benefit Guarantee Corporation, a government agency which insures pension funds but which costs the fund a small premium payment.



Shreveport, La., Davenport, Iowa

# Calls for Strike Against "Cards" Spreading

Two more Local Unions have joined the call for strike sanction against Roadway if the giant carrier won't get rid of the production cards. This brings the number of locals having passed the resolution up to four, following the initial action from the Tannersville, Pa. Local 229 breakbulk and prompt support from Detroit Local 299.

In Davenport Local 371, the "Tannersville Resolution" was introduced at the October meeting. The resolution calls for the local to establish a committee to write up a grievance against the

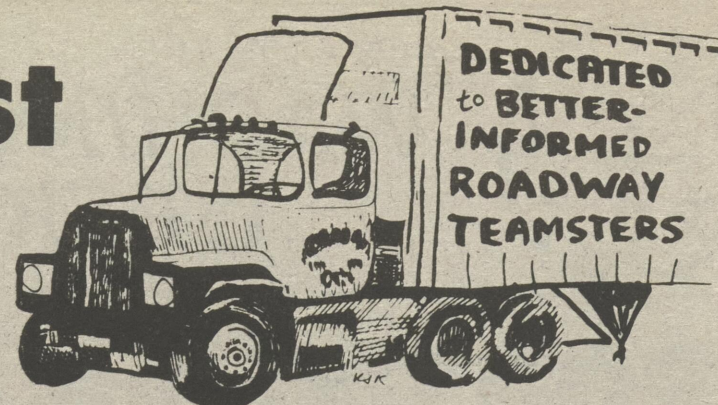
cards and for that grievance to be deadlocked all the way to the national level. Such a deadlock would make a legal strike possible under Article 8 of the National Master Freight Agreement. Despite opposition from the hall, the resolution was passed unanimously.

Due to a large number of Roadway people in attendance, a special meeting was held after the regular meeting. A committee was formed, but work on the grievance itself is progressing slowly. It seems that a grievance on the cards was sent to

the state level, but had not been heard due to 'lack of proof' that the cards were being used to write letters or discipline members. The President of Local 371, however, has said that he will do his best to deadlock this grievance to the state level, but cannot guarantee what will happen at the JAC.

## Rank & File Action in Louisiana

On October 26 a similar scene unfolded at Shreveport, La. Local 568's regular local meeting. Kenny Crawford, a city driver, stood up and introduced a resolution to stop production cards and harassment on the job. At first there was a move to call him "out of order." But due to the large number of Roadway people at the meeting, and support from other freight barns, this did not happen. Crawford was questioned by members of the Executive



Board, and in the end the Secretary Treasurer promised to help in any way he could. The vote to call for strike sanction against the cards was unanimous. In addition, Teamsters in Shreveport are signing the TDU petition against the cards as fast as copies can be circulated.

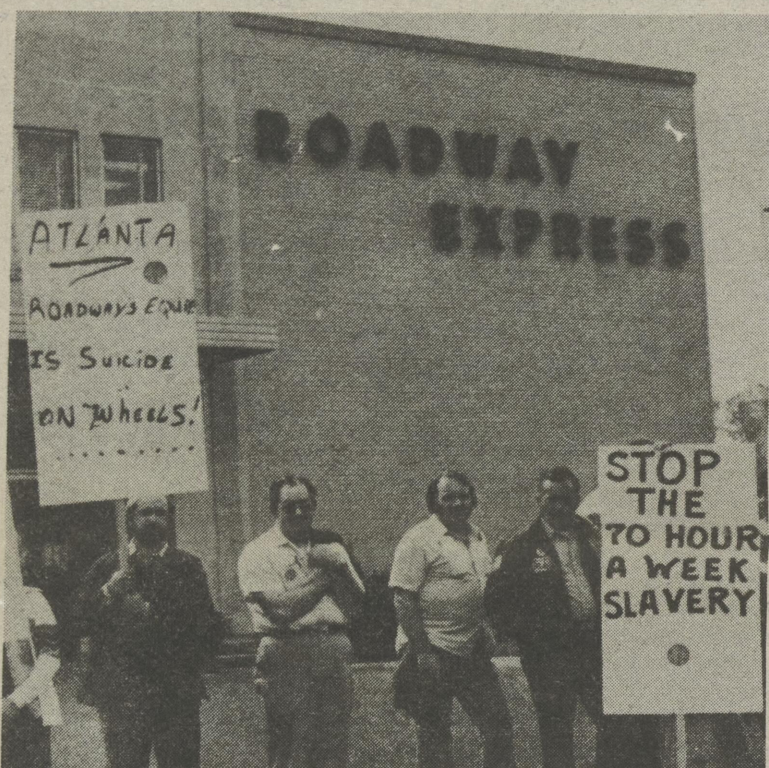
## National Support Needed

This kind of rank & file action is what is needed in locals across the country. If Big R is to feel the pressure it is going to have to be a national pressure. This is what rank & file Teamsters have learned after watching local grievances against the cards get shot down time after time. If you can't pass the resolution in your local, then you can get people to

sign the petition in support of this effort. (Copies are available from TDU.) If you want to help get people organized and moving on this in your local, contact TDU today.

## SIGN THE PETITION AGAINST PRODUCTION CARDS

TDU's petition against the production cards continues to draw widespread support. But it is up to rank & file members to continue this effort to make it a success. Copies of the petition are available from the TDU office. If you haven't reached the members of your barn with the petition—then do so NOW. Call the TDU office and get your copies of the petition.



Roadway's speed up is affecting all its employees—city, road and dock

## Springfield, Mo. Refuses To Sign Cards

by Springfield, Missouri TDU

As Roadway introduces the production cards at more and more terminals, pushing it on the city drivers now as well as the dock workers, it can look pretty tough. Sometimes it looks like only the company can win—especially where the Union won't do its job.

But in Springfield, Missouri there is an important lesson for all Teamster Locals. Teamsters there, members of Local 245, do not sign the production cards.

In fact, we have never signed the cards.

It isn't because we have a "good guy" terminal manager. It isn't because we have a particularly outstanding local union. It is because we stuck together and took rank & file action.

When the production cards were first introduced in Springfield in the spring of 1979, no one was happy. We circulated a petition, demanding a barn meeting with our BA and the Secretary Treasurer of our

Local. The petition was signed by as many of the 150 dockmen at our terminal as possible.

At the meeting there was a pretty heated exchange. Despite the fact that our BA said that the cards were "nothing" we remained firm, and everyone agreed that we did not want to sign the cards.

That was on Friday. By the following Wednesday, Roadway had given letters to everyone on the dock. They said that on Saturday they would fire anyone who was not filling out the cards.

On Saturday we went to work, determined not to sign the cards. We knew that Roadway couldn't fire all 150 of us—and we were right. The company backed down. After that it was all over except for a few legal skirmishes between the company and our local. We have never signed the cards.

So the next time your BA tells you that you have to sign the cards, that there is nothing that he can do, then tell him about Springfield. Ask him why you aren't getting the same representation we are. Aren't you paying the same dues?

## Roadway Breaks the Law Again

by Lehigh Valley TDU

In mid-September after a very successful meeting of Lehigh Valley TDU some interested employees of Roadway Express took some TDU literature and made it available to their fellow employees. They also posted it on the bulletin board at Roadway's Allentown, PA terminal.

Roadway terminal manager F.R. Tomb allegedly became very upset on learning that his employees were seeking to

improve their working conditions and regain their dignity in the workplace and in their Union. On September 16, 1980 Tomb posted a notice informing all employees that the distribution and/or posting of non-authorized, non-company literature or possession of it on company property is strictly forbidden. The notice said, in part:

"Recently non-company, non-authorized literature has been brought into the terminal and made available to employees and/or posted on the Bulletin Board. This is in direct conflict with company interests and established company practices...Any employee who violates these instructions will be subject to disciplinary action up to and including immediate discharge."

The Lehigh Valley Chapter of TDU took offense to the actions of F.R. Tomb and began an investigation into this matter. We found that a copy of the notice was sent to Local 773's

Business Agent, Howard Hontz and to our knowledge no attempt was made by the union to correct this injustice. On Nov. 12 Lehigh Valley TDU took the bull by the horns and filed a formal charge with the NLRB in behalf of Roadway employees.

We of the Lehigh Valley Chapter of TDU feel confident that we can restore the rights that have been stolen from that have been stolen from Roadway Teamsters by the company and F.R. Tomb.

## Roadway News from around the System

From Ann Arbor Michigan comes news of Road drivers doing City work, despite a 10 year past practice to the contrary. The work involved spotted trailers at the Willow Run airport in Ypsilanti. The Road drivers are picking up the trailers there—and also at the Hydromatics plant on weekends. On October 15 the Joint state committee denied steward Ed Francis' grievance against this

practice. Local 299 has vowed to protest....

On October 30 in San Antonio steward Joe De Luna learned that the mass grievance filed against Roadway had been denied based on a previous decision...It took the local officials several months to convey this information, we wonder why...

The Toledo dock reports a good reception for the petition against production cards with an over 90% sign up...Let's see if other barns can top that...

In Tannersville, Pa. Ed Fisher won a civil suit for damages against his forman who had pushed him around on the dock. While the money wasn't huge (\$127) it made Ed's point.

harassment by Big R has got to stop.

Value Line, the investor newsletter, reports that despite a generally gloomy picture in the trucking industry that there is "one exception...Roadway Express." They call Roadway the "dominant factor in trucking" and expect its profits to keep growing at a 14-17 1/2% rate over the next five years, cap-

ping a record of 25 years of profit growth—every year. Further, Big R has a "cash hoard that exceeds current liabilities with a debt free balance sheet." And the reason: "The real secret to Roadway's success, though, is that it is the most efficient carrier in the industry and is able to cut costs dramatically when business slows down." In other words—they take it out of our hides.



CF In Fremont, Ind.

# Consolidated to Use Prison-Like Rules

No coffee breaks for the 84 dockmen (instead two 15 minute 'lunch breaks' per shift). Dress codes, notification of supervisor before going to the bathroom, no radios, card playing, dark glasses, countless other prison-like rules. Only 8% will be allowed to go on vacation (six persons) in any week. (The contract says the minimum is 15%.)

Seven day workweek—no premium pay. Shifts start every day of the week. Only 4 out of 84 dockmen have a daytime, Monday-Friday bid!

Road dispatch rules designed to chain people to the truck and the phone. Must run right up against the logs. Must even make "minor repairs."

Lancaster, Pa.

Sounds like a new non-union outfit in town? No, its Consolidated Freightways new break-bulk terminal in Fremont, Ind. And the above rules purport to be 'agreed to' by the union.

With these prison-like work rules, its no wonder that CF management sent a special letter to terminals where affected Teamsters might be bidding to move there, warning them of what will come. The company wants to weed-out any Union spirited persons who might expect to find humane conditions, or maybe ones like what they have at existing terminals in Indianapolis, Detroit, and Cincinnati.

The Joint Council head in Indiana, Loran Robbins, has

told his members in Indianapolis that there is nothing he can do to stop this destruction of conditions and jobs. If that is true, we wonder what good is he? Why do we have Joint Councils, Conferences, and an

## Production Quotas Stopped at Eazor Express

from Western Pa. TDU

On October 17, 1980 Eazor Express's attempts to impose unfair production standards upon the members of Local 249 were dealt a serious blow.

The threat of a union sanctioned strike forced the company to rescind a one day suspension of Alfred Collavo, a dock worker at the Pittsburgh terminal.

This was achieved because

International Union if there is "nothing" they can do to stop the destruction of union conditions at one of the largest freight carriers in America?

We think there is plenty to be done. Start by uniting the rank

& file and working up from there. CF seems to be following in Roadway's footsteps, and CF employees are going to have to do what Roadway employees are doing—organizing through TDU to defend themselves.

ed down, there has been no discipline in the area at either Eazor or Jones Motor for alleged 'low production'.

For the past few years, TDU, and especially the Western PA chapter have been fighting to end this anti-union 'productivity' system. It's good to have this union victory to report. We hope this decision will set a precedent that will be respected in the future.

both the Eastern Conference JAC and the National Grievance Committee deadlocked the grievance, which gave the local the authorization to strike to enforce the union's position.

With the union members able to use their strength, the company gave in. In a letter to the local union, Eazor indicated they are considering legal action.

Since the decision was hand-

# YELLOW CREATES "FULL TIME CASUALS"

Last July Yellow Freight in Lancaster Pa. rescinded the letters of layoff for 165 of its employees. Sounds like good news, right? Look again.

Instead of calling these men back to work on the regular seniority board, Yellow turned these 165 men into full time casuals. They are called to work

on a day to day basis. They have no starting time. No guarantee. No assurance that their health and welfare will be paid if they work a day. And they must get 40 hours in during a week in order for their pension contributions to be made.

How did it all happen? In the Central Pennsylvania (8 Cities) Supplement, once you are laid off you are allowed to tell the company whether you want to be called back to work on a day to day basis or not. You have the option of sending the company a letter saying that you do not want casual work and that you only want to be called back if they have a full weeks work for you.

But when several employees at Yellow exercised this right under the contract and said that they did not want casual work, Yellow decided to get tough. They contacted the Pennsylvania

Unemployment department and said that these men should be ineligible for Unemployment Compensation because they had refused an offer of (casual) employment. And they took it a step further—they went so far as to tell the Unemployment agency that the claims of the men who had requested casual work should be denied if these men missed a work call from Yellow! In one case they even moved to make a man on layoff repay \$1,025 in unemployment benefits because he missed a work call.

A few of the Teamsters who

had been laid off at Yellow didn't need Unemployment benefits, however. They had found other jobs to tide themselves over during layoff. Yellow decided that this just wouldn't do. And that is when they decided to rescind the letter of layoff altogether. But instead of calling the men back to work on the regular board, they just continued to call them in on a day by day basis. This means that out of the 568 Teamsters employed at Yellow, at least 165 are casual labor.

The union, Local 771, has done little to stop this practice.

Hearings have been held concerning the unemployment compensation due individuals during the period when the letter of layoff was in effect. But the basic problem of stopping Yellow's contract busting tactics is something only an active rank & file, backed up by the Local, can solve. It's up to the members of Local 771 to show their officers that they won't stand for this outright violation of longstanding working conditions and straightforward contract language.

by Lancaster TDU

## Members Give Yellow Freight "Warning Letter"



Lenny Clark, Local 771, Yellow Freight at TDU Convention

## Yellow Made to Agree New Computer Job Is Union Work in Pico, California

As Yellow Freight System began to install its new 3767 Computer system and new overhead billing procedures, a dispute arose at many Yellow terminals as to whether this work would be union work or management work. Now, thanks to the action of Local 357 BA Pat Poyyak and Sec.-Treas. Tommy Reyes, a clear decision has been made for at least one Yellow Terminal, the facility in Pico, California. The work is office work and it is union work.

The victory at Pico came only after the company had done its best to aggravate a split between the dock and the office as to which category the work would belong to. While each side filed grievances, manage-

ment itself continued to do the work and hoped to continue to do it.

But on October 2nd, Tommy Reyes stated at a meeting at the Pico terminal that the work has been established as office work and union work at other freight companies and that it would be classified that way at Yellow. This has since been implemented at Yellow, and should guarantee three full time operator positions upon completion of the total system.

TDUers in Southern California would like to know if other Yellow Terminals have similarly classified 3767 work. If not, please contact the TDU office with whatever information you may have.

COMPLAINT FACT SHEET

TO: YELLOW FREIGHT SYSTEM  
2130 APOLLO DRIVE  
LANSING, MICHIGAN 48906

CERTIFIED NO. \_\_\_\_\_

Clayton Osborn, Terminal Manager,

On the date: \_\_\_\_\_ of your management staff, did \_\_\_\_\_

I consider this action to be in complete disregard of fair and just treatment, and in violation of:

\_\_\_\_\_ contract rules \_\_\_\_\_ past practice  
\_\_\_\_\_ company rules \_\_\_\_\_ health/safety/O.S.H.A. rules  
\_\_\_\_\_ past management rules \_\_\_\_\_ action unjust/unfair  
\_\_\_\_\_ state/federal labor laws \_\_\_\_\_

Actions of this nature cannot and will not be tolerated. This letter of information will serve as notice that future violations will result in more severe legal action.

Brother/Sister \_\_\_\_\_  
Social Security No. \_\_\_\_\_  
This Date: \_\_\_\_\_

cc. file \_\_\_\_\_  
local 580 \_\_\_\_\_  
steward \_\_\_\_\_  
personnel kcco \_\_\_\_\_  
payroll kcco \_\_\_\_\_  
n.l.r.b. Detroit \_\_\_\_\_  
n.l.r.b. Washington \_\_\_\_\_  
civil liberty union \_\_\_\_\_  
n.a.a.c.p. \_\_\_\_\_  
J. Jacobson \_\_\_\_\_  
K. Thompson kcc \_\_\_\_\_

THE ABOVE CONSTITUTES THE \_\_\_\_\_ TIME  
THAT YOUR STAFF HAS BEEN WARNED IN  
THIS AREA. IT SHOULD PROVIDE ADEQUATE  
INDICATION OF A RAPIDLY DECAYING  
EMPLOYER/EMPLOYEE RELATIONSHIP.

Many members are used to management's tactics of using threatening 'warning letters' against union members. Now the members of Lansing Local 580 at Yellow Freight have turned the tables with a complaint sheet for the members to use to put management on notice.

Steward Bill Ward and his Alternate write: "The 1980's demand new ideas for old labor problems. This complaint sheet isn't the only way, but we have tried it and it works. We use it as a go between, in between doing nothing and going to the grievance panel.

"We have found to be most effective, one must: 1) Fill out the form completely; 2) Keep to the facts (no feelings); 3) Keep the original yourself; 4) Mail a copy to management certified mail; 5) Do not send the copies to top management at the home office and other agencies until local management has a chance to respond to your complaint.

"Others may want to make up similar forms, to help solve problems and build unity among union members at the barn. Good luck."

WARNING LETTER FOR YELLOW. This is the "warning letter" that TDUers in Local 580 have been handing the company when management gets out of line.



# What Every Driver Should Know ABOUT ACCIDENTS!

by Ken Manley, Steward, McLean Truck Lines, Local 600, St. Louis, Missouri

Hitting the driver with a "chargeable" accident is one of the most common ways for a company to manipulate the problem of Truck Safety and make it a tool for company discipline. Many drivers know that the company's policies are unfair—but not that many know how to fight them. But in St. Louis, McLean drivers have developed a system of filling out accident reports that can beat the company's system of handing out letters for "chargeables." In the past year this drivers' system reduced the percentage of chargeables by half.

In the early days of the union, men fought for their rights, and paid for them not with money but with courage, grief, and blood. Today those rights are under attack, by the company and sometimes even by the union. One of the most important forms of that attack is their effort to keep us ignorant, ignorant of the rules that govern our jobs. And one of the most blatant examples of this attempt to keep us in the dark is the way in which the company's safety department classifies accidents and hands out "chargeables."

The purpose of an accident investigation should be to determine all the contributing factors and take appropriate action to prevent similar accidents in the future. However, at my company, like many others, I have seen little real concern for safety. In fact, "investigation" really consists of finding a way to pin the accident on the driver. Supervision consists of penalizing, not training. Management and the safety department have openly stated that they operate according to three rules:

1. "A driver is always considered at fault."

2. "Anything the driver says but in his defense is considered a lie."

3. "The driver is considered guilty until he proves his innocence."

To combat this, we've developed some rules of our own:

1. Know How You Are Judged in an Accident.

2. Know How to Act at the Scene of an Accident.

3. Know How to Make a Phone Report.

4. Know How to Write a Report that Reflects YOUR Best Interest.

5. Know How to Act in a Post-Accident Interview.

6. Know How to Protest a Warning Letter.

7. Know How to Form a Safety Committee.

I will try to go into each of these areas briefly in this article.

## Conduct At The Scene Of An Accident

Your conduct at the scene of an accident can get you in as much trouble as the accident itself. Most companies provide an accident packet to be used in case of an accident. Some of the main things to remember are:

- Set out emergency equipment (failure to do so may cause an additional accident for which you will be held accountable as well).
- Don't move your vehicle if its position will help the investigation. If the police advise you to move it, make sure he notes the exact position.
- Your attitude at the scene is important. Don't make statements. Ask questions.
- Ask the other driver to help

protect your safe driving record by signing the no fault card.

• Get the names of witnesses and write down what they say they saw.

Don't leave yourself open for any surprises later. If an adjuster is sent to the scene, you may or may not want to give him a statement. This will have to be your judgement. The adjuster will be concerned with protecting the company's liability, not your driving record. He probably won't understand how you are being judged.

Under the freight and similar contracts you have until the start of your next shift to fill out a complete report. Federal law also allows you the choice of not

making an incriminating statement. My advice is: if you're not sure, don't; if the accident is a serious one, or if a death is involved, Say Nothing. If you do say something, Get a copy of anything you say.

### Making a Proper Phone Report

Be familiar with your company's phone report form. When you do call the dispatcher, have the information you're giving written. Take time. Limit the information to the facts. If the dispatcher is dissatisfied, explain that you will file a complete report. Just don't try to overstate your case on the phone. Whatever you say must be consistent with your written report.

## The Post Accident Interview

Many companies interview the driver after an accident. Protect yourself. Never be interviewed by management without someone representing you. You have a legal right to such representation in any interview concerning an accident.

Again, your attitude is important. I have seen management make a driver hostile in an interview and then charge him with insubordination. If he had not submitted to the interview the accident would have been classified as non-preventable, and the company wouldn't have been able to send him a warning letter. If you do submit to an interview, be open, honest and calm. Know your facts. Use them to kill a warning letter before it becomes one.

Most of the time, the supervisor will want you to do all the talking. He will use questions

## How You Are Judged

Most of us think of an accident in terms of "who is at fault". If it is the "fault" of the other driver, we think we have nothing to be worried about. Nothing could be further from the truth. In fact, the other driver could admit that they are at fault, they could be convicted in a court of law, and yet you could still be stuck with a "chargeable".

To understand how this can be true, it is important to first understand your company's Safe Driving Rules. Most companies adopt the rules put out by the National Safety Council (copies available from TDU). Any violation of these rules, no matter who really is "at fault" in the accident, can result in your being given a "chargeable".

So the first lesson is this: know your company's safe driving rules. Own a copy.

While it is impossible to go into all of the National Safety Council's rules in this space, it is important to make one point that holds true for just about all of these rules:

The safe driving rules stress whether there is any evasive action that you could have taken to avoid an accident before the "point of no return."

Under the law, a person is at fault if they are the person who had the last chance of avoiding the accident. This in fact, is what most of us mean when we say that an accident was someone's "fault". But while the courts and the police may be looking for who had the last chance to avoid the accident, your safety department will be looking for something else.

Your safety department will

"The Green Sheet"—the BMCS Accident report. Knowing how to fill it out in your best interest is half the battle.

"Never be interviewed by management without someone representing you."

the accident and pin you with a chargeable. My answer for all such questions is this: "Any driver, given the exact set of circumstances would have had the same accident."



# Know About

## You Are Judged In An Accident

If an accident is at fault, you have to know about it. If you are involved in an accident, here is an example, based on the Safe Driving Rules.

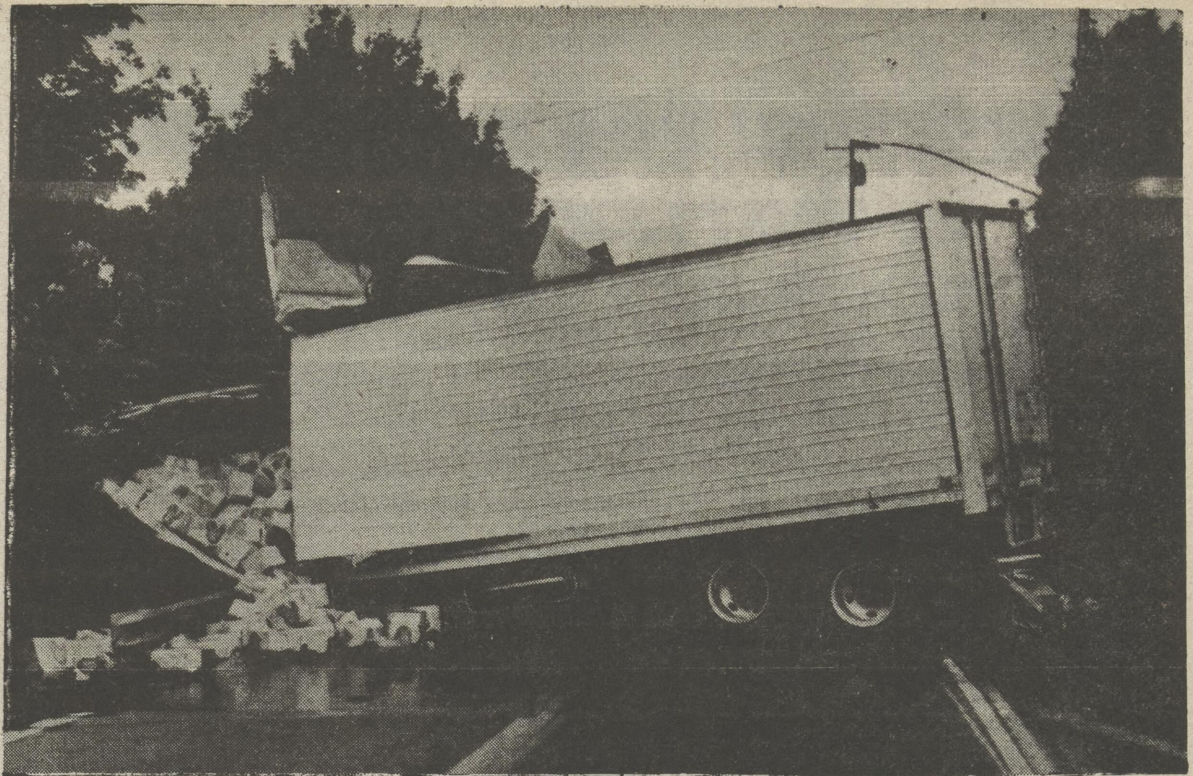
Imagine you are getting ready to pass. You signal and begin to make your move. But suddenly, the car in front of you swerves out and hits you.

**Rule 2.1: Changing Lanes**  
"...Actions of oncoming traffic or of the traffic being passed do not excuse the professional driver. These actions should be anticipated and considered before starting the maneuver." (emphasis added).

Under a strict interpretation of Rule 2.1 you could well be given

a chargeable, even though a court might find that the driver of the car in front of you was "at fault". This is because your safety department might insist that, regardless of the court's findings, that you should have used better judgement before beginning to pass—before the point of no return. They will be looking at how good a job you did of anticipating the other driver's actions.

Almost every Safe Driving Rule contains phrases stressing "possible faulty judgement" or "any lack of defensive driving" as grounds for giving the driver a chargeable. Once you begin to understand that this is the basis for the Safe Driving Rules, you will then begin to understand how you are being judged in an accident. And if you understand this, it will guide you through everything you do after an accident.



While over 1,000 drivers per year are killed on the highways, management continues to treat truck safety as a tool for disciplining the driver. It's time to turn that situation around.

## Writing A Report in Your Best Interest

When writing your report, it is crucial to pay close attention to the Safe Driver Rules and what I said about how you are judged in any given accident situation. Follow these three guidelines:

1. Re-read the safe driver rules that cover that particular type of accident.

2. If you failed to follow one of the Rules, then you had better explain what prevented you from doing so.

For example, if you failed to use your horn to signal a warning when the defensive driving rule says you should have, then you better explain what prevented that from happening. You must understand that the safety supervisor is going to have to answer for his decision. Therefore it is necessary for you to find the "out" he needs to justify not charging you with the accident.

3. Carefully inspect Your Vehicle. We have saved drivers from being charged with accid-

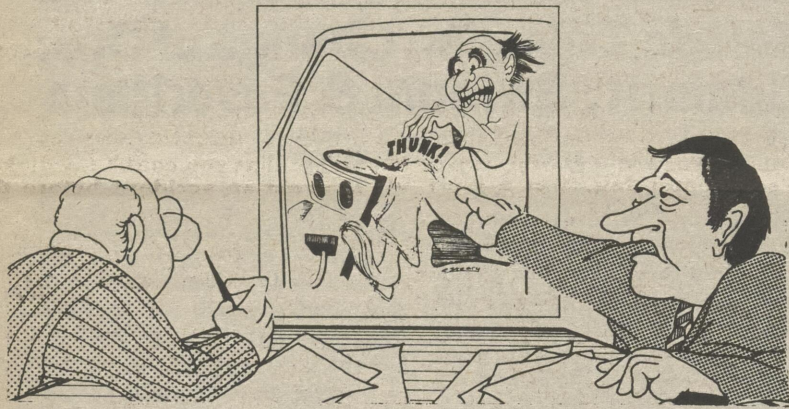
ents by finding defective equipment that went unnoticed by the driver. More importantly, perhaps, we prevented someone else from having a worse accident with the same piece of faulty equipment.

The point is to take the accident report seriously. It's your job that you are putting on the line when you fill out an accident report. Once you have filed it, be sure to get a copy. Under the National Master Freight Agreement [Article 16, Section 3] you have a right to a copy of your accident report.

I have worked on accidents where the company started out with the intention of firing the driver and ended up merely citing him with "minor omission of defensive driving." To better illustrate this method of writing up accident reports—at all times keeping in mind how you are judged by the company in an accident. Here is an example that makes this point:

In December 1979 under

adverse weather conditions, an accident occurred when a high wind hit a truck driving over an icy bridge. The company wanted to fire the driver. We wrote up a two page accident report, with careful reference to the Safety Rules. We noted, for instance, that adverse weather by itself does not excuse a driver for having an accident and therefore we were not claiming that for our main defense. We did note, however, that the gust of wind occurred after the truck was already on the bridge—and therefore after the point of no return. We therefore stated that "Up to the point of no return in this accident, I exercised reasonable precaution." We explained how every Safety Rule concerning adverse weather, etc., was followed up to the "point of no return." The result—instead of being fired, the driver was cited with "questionable preventability," the mildest letter possible.



WHAT IS MANAGEMENT LOOKING FOR? Knowing how you are judged in an accident is essential in beating "chargeables".

## How To Protest A Warning Letter

No two trucking companies handle accidents the same. The system my company, McLean, uses states that accidents are either preventable or not preventable. The preventability of an accident is not determined by negligence. To repeat: it is determined by disregard of defensive driving techniques which the driver as a professional could normally be expected to perform. You should realize, that by issuing a warning letter, they are charging you with an accident.

Once you are issued a warning letter, there are certain things you should do.

1. Try to make the company tell you—in writing—exactly why you were charged. Try to find out exactly how they have classified the accident. My company uses a scale of A (non-preventable) through E (gross disregard of defensive driving). In this way you will know what you are up against. It will make the company narrow its charge to a specific

violation of a specific rule.

2. Don't tip your hand. Simply state that you are not in agreement with how they have classified the accident. Then prepare a summary of how you intend to fight the letter if it does go to a grievance committee at some future time. Keep this summary with the complete accident report.

3. Never allow a Warning Letter to stand without a protest. If you do, it is considered accepted. File a protest, by certified letter (return receipt requested) and do so within 10 days (this is the time limit set under the National Master Freight Agreement. If you are covered by another contract, check your contract for time limits. They may be different). It is not necessary to send a protest to your company—you can send it to your BA or Local Union. However if there has been a gross injustice in classifying your accident you may want to hold whoever misclassified your accident responsible by notifying their supervisors.

The function of a safety committee is to:

1. Learn and understand all the Safe Driver Rules.

2. Teach other drivers proper conduct at the scene of an accident.

3. Do an investigation of the accident and an investigation of the equipment involved.

4. Explain to the driver involved exactly how he will be judged by the safety department.

5. Assist the driver in filling out the BMCS report (green sheet).

6. Reduce the drivers statement to writing to reflect his best interest.

7. Offer assistance in the post-accident interview.

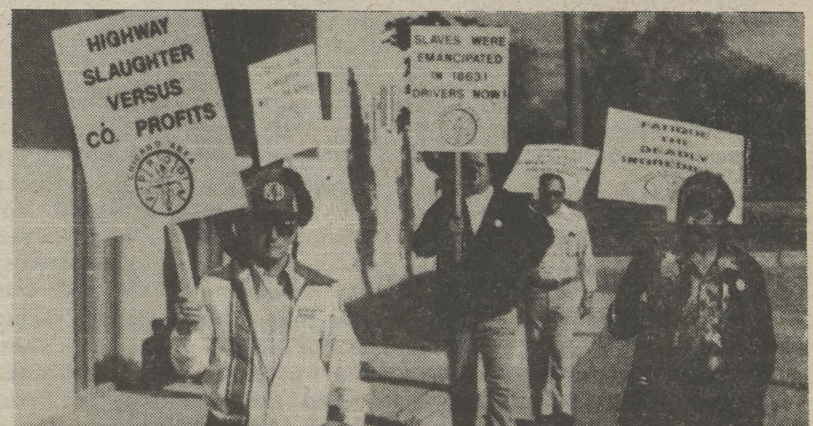
8. Provide help in protesting a chargeable classification.

We have found at McLean and at other companies in St. Louis that you can not fight the company on chargeables by yourself. You can't even do

your best job alone if you have a dedicated steward behind you. It takes a group effort. We have found that when the company knows that a group of drivers is carefully reviewing how they classify accidents that they become less likely to abuse the Safety Rules and hand out

"chargeables".

As in the early days of our union, it takes an active and informed rank & file to protect our rights in all areas. And Truck Safety has to be one of the most important battles we have to fight.



GROUP ACTION MAKES A DIFFERENCE. These rank & filers are shown protesting BMCS failure to enforce safety regulations. PROD/TDU is committed to organizing safety committees wherever possible.



## Rank and File on the Move in Watsonville, Ca.

"We won the first round, but the fight will go the distance." That's the way one TDU member described the October 28th General Membership Meeting of Local 912 in Watsonville, California.

Over 150 people attended the meeting, a regularly scheduled meeting that rarely makes a quorum of 12. One after another Teamster brothers and sisters rose and told the Executive Board that they are tired of not being represented and tired of the Local working for the bosses and not the workers. As one member put it bluntly, "Either you turn this union around and start fighting for our interests, or come election time start looking for another job."

More than 80% of the Local is Mexican-American, most of whom speak only Spanish. Meanwhile the Executive Board has only one BA who speaks Spanish—and has only faced one contested election in its 30 year history. People are left almost defenseless against company violations of what are already bad contracts. Especially bad is the blatant discrimination and violation of seniority.

Is it any wonder that the General Membership Meetings rarely make a quorum of 12?

But all that has changed now. A small group of people—Mexican-American & Anglo—formed a TDU chapter in town. We then called two open meetings with speakers from Northern California TDU and the nearby San Jose Cannery Workers Committee. Much to everyone's surprise, 50 people attended the first meeting and more than 100 attended the second. At the second meeting we mobilized for the General Membership Meeting where we made the Officials sweat.

And sure enough, the very next day the officials were running all over town shaking hands, inquiring about people's problems, promising to start doing a better job. That very

week workers at two different plants won grievances on the spot with a BA's help—grievances that ordinarily are completely ignored.

by Watsonville TDU

The 1980 Rank & File Convention voted that Convoy Dispatch begin developing articles in Spanish. 80% of the members of Local 912 speak Spanish; the article about their local is printed here in Spanish.

### SECCIÓN EN ESPAÑOL

"Ganamos la primera batalla y seguiremos luchando," es la descripción de un miembro de TDU acerca de la junta efectuada por los Teamsters de la Local 912 el día 28 de Octubre en Watsonville, California.

Más de 150 personas concurren a la junta de ese día, siendo que nunca se habían congregado en una junta ordinaria del mes, ni siquiera las 12 personas necesarias para iniciar dicha junta.

Muchos miembros de la unión tuvieron la oportunidad de hablar. Cada uno de ellos expresó su descontento haciéndole saber a la mesa directiva que ya están cansados de no tener representación, cansados de ver que los oficiales de la unión solo protegen a los empresarios y hacen poco o nada por el trabajador. Un trabajador les dijo con franqueza, de hoy adelante van a trabajar por nosotros, los miembros de la unión, o en las próximas elecciones van a tener que buscarse otro empleo.

Más del 80% de los miembros de esta unión son Mexicanos, Mexico-Americanos, y Sudamericanos, la gran mayoría de ellos hablan solamente Español. Aquí el problema es que la mesa directiva tiene muchos años en el poder, o sea en la dirección de la unión, y solo tiene un agente

de negocios que habla Español. Los empleados de mayor jerarquía en cada empresa cometen abusos, violan el contrato, ejercen discriminación, y practican enormemente el favoritismo. El derecho de señoría no se toma en cuenta.

Pero las cosas han cambiado. Un pequeño grupo de Mexicanos, Mexico-Americanos, y Anglos han formado una asociación con TDU aquí en Watsonville. Hemos llamado dos juntas. En ellas hemos tenido visitantes y horadores de TDU de San Francisco y del Comité de Trabajadores de Caneria de San Jose. Todos se sorprendieron de ver que a la primera junta concurren más de 50 personas y mayor fue la sorpresa al ver que a la segunda junta vinieron más de 100 personas. En esa segunda junta se recomendó a todos los miembros de la unión que asistieran a la junta ordinaria de la unión en el 28 de Octubre, y así lo hicieron. Y ahí la sorpresa grande se quedó para los oficiales de la unión.

La junta tuvo buenos resultados. Al día siguiente se resolvieron varios problemas que antes habían sido ignorados, y como dijo un compañero, "apenas empezó nuestra lucha y ya tenemos mejores servicios."

Watsonville TDU



**OUR DUES PAID FOR THIS CAR.**  
AND WHAT DO WE GET? THE DIRTY END OF THE DIP STICK.

Let's take the Union Officials out of their brand new cars and give them a choice: Either start working for us or start Looking for another job!  
COME TO THE REGULAR MONTHLY TDU MEETINGS.

**T.D.U. Meeting**  
**SUNDAY Oct. 26th**  
**3 P.M.**  
**Saint Patrick Church**

NEW TDU CHAPTER GETS ACTION. After this flyer appeared, some 150 frozen food Teamsters showed up at the Watsonville Ca. union hall, and have begun to get results. (The other side of the flyer is in Spanish, as thousands of Local 912 members read Spanish, but not English).

## Toledo Transcon Change of Ops: Seniority Swindle & Favoritism

by Toledo TDU

Last year, on Sept. 15, Transcon put into effect a dramatic change of operations affecting what had been its big break bulk in Omaha, Nebraska. The drivers were scattered to the four winds—and 108 men were laid off. A few of these laid off men were called and offered a move to Toledo, Ohio. They were told that if they didn't make the move to Toledo they would never work for Transcon again. They moved.

But when the Omaha men arrived in Toledo, they were told that it hadn't been a change of operations after all. In fact, they were told that they had been moved hundreds of miles and separated from their families in what the company called a "voluntary transfer"

on their part!

As a result the company claimed that the men had lost their seniority and that casuals who had been working in the new Toledo terminal before they had arrived would have higher seniority than the Omaha men.

And on November 18 the BA Jerry Anderson presented a proposal to 'solve' the problem but still have the two casuals working over the Omaha men. The men have charged that the only problem Anderson is trying to solve is the problem of having to represent the men on their grievance. It was deadlocked at the state level in Columbus, and it is set to go to Chicago. Toledo TDU members will be watching to see what happens.

## Chicago Strike Falls Short at Admiral Merchants

by Davenport TDU

Last issue we reported on how Admiral Merchants had asked for "super relief": 40 hours pay, no matter how many hours worked, no health and welfare, no pension, and road drivers paid either miles or hours only.

The union did finally take some action on the situation. Chicago struck, but road drivers from all over the system bobtailed into Chicago and pulled loads out, while the men on strike wondered what was going on. Roy Williams has instructed all locals to deadlock the back-

pay grievances to the JAC, and then possibly strike the whole system. This sounds like a pretty good idea, except that it gives Mr. Short more time to use the employees money. And there is no guarantee that there will be a strike or that the company will even be around by the time the JAC makes a decision.

The men at Admiral aren't being told where their money is going, if they now have any health benefits, or where the company's debt to the Pension Fund stands. They are just being told that it's better to be working than to be unemployed.

## Rank & File Beat Religious Discrimination in W. Va.

On Friday, October 24, Roy Harper, a member of Local 175 and employee of Penn Truck Aides in Parkersburg, W. Va. finally won his nearly 2 year fight to protect his right to his religious holiday.

Roy's victory came after the company had said there was no way anything would be done to allow Roy to have his religious holiday—Saturday—off and still keep his seniority. It came after the union repeatedly said there was nothing that could be done.

But where the government and the BA failed to stand up to the company, rank & file action and a dedicated steward broke through. On Saturday, October 18, at the regular bid meeting, the employees discussed the Harper case. After talking it over, the men voted on a motion

presented by Dewey Wherry, stating that Roy Harper should keep his 16th position on the board and his religious holiday. When told that the company would never allow it, and that the union wouldn't stand for it, the men responded by saying "We are the Union" and voted in favor of the motion, 32-0 (with one abstention).

Once that stand was taken, the red tape crumbled. The next Friday at 8:15 AM steward Pete Gainer was meeting with the Union. The union said there was nothing they could do. Undaunted Gainer went to see the company representatives. He called the EEOC and was told that "If Mr. Harper wants to be 16th on the board, then it's up to him." Then Gainer called the president of Penn Truck Aides, Mr. Link, and



Pete Gainer, Local 175, Steward

suddenly discovered that he too had "no objection" whatever to what the EEOC had decided.

"It just shows what rank and file action can do," said steward Pete Gainer. "We really made our point. We are the union."



# Undemocratic Bylaws Got You Down? ...

Another year of appointed stewards, appointed BAs, no membership control over anything that goes on down at the hall.

That's what many Teamsters face if they don't get moving now to reform their bylaws.

In most locals, you can only amend the bylaws once a year, by proposing changes at the January meeting.

On this page is an article about changes made last month in one local. Those changes

were begun last January, and the TDU members involved saw them through.

In local after local, members have begun the process of making the union more democratic by fighting for bylaws changes. Many were victorious. Others have been defeated. But not without a fight, and even if you lose, beginning the fight is what it's all about.

If you want to make changes in your local—now is the time to plan for it. To be ready to

introduce them in January, and work for their passage in the months following. In most locals they are voted on at the third meeting of the year.

No politician or government agency or anyone else can change your bylaws except you—the rank and file member.

TDU can help. We have the experience of many bylaws fights in many locals. We have materials and advice you will need. So give it a try.

You may just win.

## ... in January You Can Do Something About It!

### Fight to Reform Bylaws Moves Ahead in BC

by BC TDU

Rank & filers in BC Local 213 were successful in pushing through one of their bylaws reforms in a membership referendum vote which ended on November 3. But three massive voting irregularities marred the referendum, and according to protests now lodged with Joint Council 36, may have caused three other reform proposals to go down to defeat, lacking the 2/3 needed to make a change. The four bylaw amendments included:

- Elected BAs
- Reducing the term of the Executive Board Officers from 5 years to 3 years.
- Giving the membership power over staff salaries and Trustee appointments for the health and welfare fund.
- Extending the time limit of the General Membership meeting from 10PM to 11PM

While only the amendment for extending the meeting time received more than the 2/3 margin needed to pass, the other motions did draw considerable support, with the bylaw amendment calling for a shorter term of office gaining 59% (but still shy of the 2/3 needed to make a change!).

But BC TDUs charged that

massive irregularities in the manner in which the referendum was conducted marred the voting. The protests were signed by TDU International Steering Committee member Diana Kilmury, Jack Vlahovic—candidate for IBT General Secretary Treasurer, election committee members Wes Anderson and Ernie Swenson, as well as many other rank & file members. These charges state:

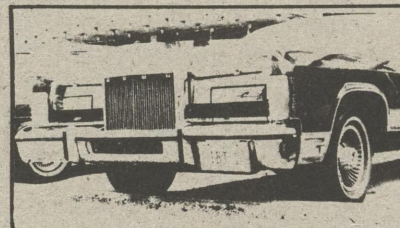
- The election committee had no control over the balloting process—a gross departure from past practice.
- That 9300 ballots were mailed out, despite the fact that the local has only been playing per capita on 8900 members in recent months.
- That BA Frank Peters had total control of the balloting procedure up to the point of the actual count.

Now the rank & file will have to wait for the verdict from the Joint Council. But whatever it may be, the fight to win democratic reform of Local 213 will go on. And if nothing else, the vote showed the majority of members support that reform. The rank & file started out with 30 proposals, but it was cut down to four by our officials. Yet the concerted rank & file



Diana Kilmury, Local 213, BC

effort in response to this ill concealed conspiracy on the part of the local union Executive Board and the International to prevent bylaws reform is sure to win in the end.



**More members of the club.** Since the publication some 4 months ago by TDU of over thirty Teamster officials who have salaries in excess of

even though it might have been held up until the grievance procedure was exhausted, we would still have a chance to be heard before the NLRB. I am writing this in hope that local unions and members will be alerted to this situation and avoid such situations in the future.

### IBT Made to Refund \$200,000 in Dues in Ohio

by Columbus TDU

The sixth Circuit Court has just upheld the decision of the lower court in ordering the IBT to repay some \$200,000 in dues fraudulently collected from members in Columbus and southern Ohio.

The case, *Teas v. IBT* stems

## HOW TO REFORM YOUR LOCAL BYLAWS

A TDU Handbook

This valuable booklet has been helping rank and file Teamsters reform their local bylaws for years. Winning elected stewards and elected BAs. Improving their representation. Bringing more power to the membership. It can help you plan your strategy and how to write up your bylaws changes.

If you are fed up with an undemocratic local union, with poor representation, then now is the time for you to order this handbook,

**How To Make Your Local Bylaws More Democratic**

50c each, 10 or more 25c each

Send orders to: TDU, Box 10128, Detroit, Mich. 48210

### Bylaws Reform Wins in Buffalo

The October membership meeting of Local 375 in Buffalo N.Y. passed two important bylaws changes which should be of interest to Teamsters elsewhere.

The first one provided for a Unionist Education Program to be put into effect in the local, with an elected committee to oversee the program. It was drawn up by Western N.Y. TDU.

Workshops will be held on grievances, management strategy and tactics, the IBT structure, health and safety, labor history, the pension and health and hospital funds, labor law, negotiations, and union organizing.

This will be an on-going program to keep members informed and involved. "This will make the rank & file more able to fight management's sophisticated tactics" said the backers of the change. It passed on a vote of 47-14.



Dan Hall, Local 375, Buffalo

The second bylaw change to win was for the Right to Recall Officers. It was passed by a vote of 51-12. Both will go into effect after they are approved by the General President.

If any member wants a copy of the text of these bylaw changes, write to the TDU office. Please include a small donation to cover copying and mailing.

## YOUR DUES PAY FOR THIS?

## NLRB HITS HOLMES

\$100,000, continued research has revealed a number of others, and the list grows and grows. Joe Whiteford, Sec.-Treas. of Local 213 in British Columbia made \$103,000 last year according to Canadian TDUs. Canadian affiliates do not file financial reports (LM-2 report) and salaries are therefore more difficult to track down...

NLRB Hits Holmes

And the NLRB has issued four separate complaints against International Vice President Bobby Holmes of Local

337, Detroit for the intimidation and violence that marked the election campaign in that large Michigan local...Holmes fared little better at the 299 stewards banquet where his heated attack on TDU was greeted by boos from the stewards and their wives.

Ohio Drivers Health and Welfare Fund recipients hit by another rip-off. This time it has a new twist as alert TDUs at McLean in Toledo noticed that all new hires will be without coverage for their first three months on the job.

### Protest Sellout in Norristown, Pa. Local

by Gino Salvati

Local 384, Norristown, PA

For some time Teamsters Local 384 represented the employees of AFT Motor Freight Inc. and was a signatory to the National Master Freight Agreement. On September 7, 1977 AFT terminated its operations and laid-off all Teamster employees. Under the contract, Article 42, section 2, AFT was required to recall in seniority order those employees who were on its payroll at the time of termination of operations if it started up operations again within 3 years.

In August 1979 AFT recommenced operations, using owner-operators instead of its previous

Teamster employees. It did this in direct violation of the NMFA and the National Labor Relations Act by unilaterally changing the terms of employment it had negotiated with Local 384. A grievance was filed by Local 384 and was heard on November 14, 1979. No charge was filed with the National Labor Relations Board, however. The grievance deadlocked at the local committee and went to the JAC in Washington, where it was deadlocked again on April 24, 1980.

By the time I filed a charge with the NLRB I was told it was untimely as it was after the six month deadline. Had my local filed a charge on a timely basis,



## NORTH CAROLINA BREWERY TEAMSTERS FIGHT FOR THEIR OWN LOCAL

"If we don't act now, we will end up being cotton mill labor in 8 to 10 years."

That's how steward Dewey Shropshire described the importance of the fight by Miller Brewery workers in Eden, N.C. for their own Teamster brewery local. Unlike most other brewery workers, the Teamsters at Miller in Eden are part of a general local, Local 391. Their fight for independence has united a broad group at the brewery, broader than ever before.

"The whole plant can unify behind the right to control our own local—TDU members and non-TDU members alike support it," according to another steward, Jack Cipriani.

The question was discussed by nearly 200 Teamsters attending meetings on November 5 and 6. They are some of the 1200 working at the brewery. All three meetings agreed unanimously to launch a petition drive under Article 17 of the IBT Constitution to urge the International to charter a brew-

ery workers local in Eden. The petition notes that "the great majority of Teamsters employed at other breweries are members of brewery locals," and requests equal treatment for the Miller brewers.

In just a matter of days, the great majority of workers at the plant signed the petition and more are expected to sign soon. It is the biggest display of unity yet by the brewery workers, who have for months been demanding better representation.

### Do You Have a Right to a Local?

How can Teamsters go about demanding the right to vote on forming their own Teamsters local?

As the North Carolina rank and file newsletter "Teamster Brewery News" states, "there is no guarantee of a vote on getting a separate charter."

Article 17 only states that the International may conduct a referendum to determine the preference of the members.

## Labor Anti-Klan Rally

On October 25, labor, religious, civil rights groups, and civic groups, W.Pa. TDU among them, held an extremely successful march and rally in Uniontown, Pa. to protest the growing influence of the Ku Klux Klan in the region. The Western Pa. chapter of TDU joined the rally because the Klan is, and always has been, anti-labor. They have disrupted union organizing drives time and again. In addition, the Klan has bred divisions between working people—on the basis of race, sex, and religion. These divisions weaken Unions everywhere. The sponsors of the anti-Klan Rally included 49

players from the Pittsburgh Steelers, the YWCA, the Steelworkers District 15, the NAACP, the National Council of Christians and Jews, and the National Organization of Women among others.

"I've been waiting for something like this to come to town for a long time. Now let's do it." That was how one Teamster in Lancaster Local 771 expressed his feelings about the first organizing meeting of the new Lancaster TDU Chapter on Tuesday, November 11.

So the workers at Miller are devising tactics, beginning with the petition, to make their voice loud and effective.

### "Throw Them the Bones"

Several members noted at the recent round of rank & file meetings that the local officers have been 'throwing a few bones' to the brewery workers since TDU has grown so fast in the area. Another BA has been assigned to the brewery, and the rumor is spreading that a steward from the plant may be appointed to an assistant BA position.

But with Miller taking a hard attitude, and with the contract coming up in less than a year, the members have unanimously agreed that a few bones are not enough.

## HOW WIVES SHUT ACME FAST FREIGHT

By Mary Allan, So Cal TDU

What can a wife do in what sometimes seems a man's world? Let me tell you a story that started over 20 years ago.

My husband started working in October 1956 for a carloading company called Acme Fast Freight. Over the years, Acme gave its local cartage work to one cartage company and then another. Often there were layoffs as the local cartage company would go out of business, even though Acme had

plenty of work. This unfair situation was made worse by a vulture company called City Transfer, which at one point tried to take the work for Acme instead of the union cartage company.

It was so unfair I decided something had to be done. I contacted another wife and we got a group together armed with protest signs and picket signs. We even gathered up the kids and stopped Acme from

operating for 6 hours.

I never saw such a helpless bunch of company officials in my life. Standing there, scratching their heads, they couldn't cuss at us. Frankly they looked like fathers-to-be in the waiting room of the Maternity ward of your local hospital. I might add that company officials agreed not to use City Transfer after that. We women had power at that moment. We together accomplished something. We struck 'em!

## TDU Organizing

er on Tuesday, November 11.

Some 30 Lancaster Teamsters gathered to hear rank & filers from TDU chapters in Scranton, Allentown, and Detroit discuss the problems in the 8-Cities area of Pennsylvania. On hand were TDUs Bill Oxenford and Phil DePietro

from Allentown and Keith Gallagher from Scranton, as well as Gary Wade from Detroit

After several local 245 Teamsters traveled to the TDU Convention in October, they just couldn't wait to spread the spirit of rank & file unionism. So when they got back to Springfield they called a meet-

ing to organize a new chapter of TDU—Springfield TDU.

Welcome aboard!

On Saturday, November 8, some 30 members of Local 28 met in Greenville, SC to form a new TDU Chapter. A steering committee was established, and almost everyone in the room joined.

Help  
TDU  
Help  
You  
★ ★  
Join  
the  
100-100  
Team

*The fight for democracy costs money. Thousands of Teamsters have helped. Fifty people at the October TDU Convention pledged \$100 apiece. But we must have more funds if we wish to protect our jobs, contracts, and conditions.*

*To join the "100-100 Team," you may contribute your \$100 right away, or \$25 a month for the next 4 months, or 10 monthly \$10 payments. Your contribution will be tax deductible.*

*For each 100 of us who join, we will net \$10,000. And that goes a long way to help. Remember our total budget is less than Fitzsimmons' salary.*

To join the "100-100 Team" do the following:

- fill out the form below
- make a check or money order to *Teamster Rank and File Educational and Legal Defense Foundation*
- mail to: TRF, Box 10303, Detroit, Mich. 48210

Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_ Local \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

- ☐ I pledge \$100. My check is attached.  
☐ I pledge \$100 in four monthly \$25 contributions.  
☐ I pledge \$100 in ten monthly payments.

Date \_\_\_\_\_ Chapter affiliation \_\_\_\_\_

I wish to remain anonymous: ☐ yes ☐ no

My name may be listed as a donor: ☐ yes ☐ no

## TDU MEETINGS

### B.C./Yukon TDU

Thurs., Dec. 4, 7:30 PM  
Coach House Motor Inn  
Lilloit Rd, N. Vancouver

### Cedar Rapids Meeting

Sunday, Jan. 18, 12 noon  
For place, call 515-967-6705

### Centralia TDU

Meeting and Christmas Party  
Friday, December 19, 8PM  
Eagles Club, Elma, Wa.

### Davenport Iowa TDU

Saturday, Jan 17, 5 PM  
4th and Cedar St.

### Des Moines TDU

5 PM, Sunday, Jan. 18  
Eagles Lodge, Bloomfield Rd.

### Detroit TDU

Holiday Party & Spagetti Dinner  
Saturday, Dec. 13, 7:30 PM  
J & C Hall, 7816 Michigan

### Dubuque TDU

Hoffman House (Highway 20)  
Sat., Jan. 17, 12 noon

### Harrisburg TDU

Sunday, Nov. 23, 1PM  
American Legion Hall, Enola

### Indianapolis TDU

Sat. Dec. 13, 2PM  
Howard Johnsons, 4505 S. Harding  
465 & Harding Exit

### Lancaster Pa. TDU

Monday, Dec. 1, 7PM  
American Legion Post 34  
1388 Arcadia (just off Rt. 72)

### Lehigh Valley TDU

Sat. Dec. 6, 10AM  
Glass Bar, Freemansburg, Pa.

### Louisville TDU

Sunday, Nov. 30, 2PM  
3208 W. Broadway, Louisville

### Millwaukee TDU

Sat. Dec. 6, 1PM  
Irene J's.

### Toledo TDU Union Skills Conf.

Saturday, Dec. 6, 12 Noon  
Hillcrest Hotel (16th & Madison)

### Western Michigan TDU

Sat., Dec. 13, 2:30 PM  
Holiday Inn S. (next to 131 Expwy)

### Western NY TDU

Dec. 14, 1:30 PM  
Polish Falcons Club  
445 Columbia Ave, Depew NY



# Kroger Job Fight Hurt by Local 406 Contract

When Local 406 approved a contract with Hamady Bros. in Grand Rapids, Mi. on November 22, it undercut the efforts of nearly 100 of its members, former Kroger workers, trying to follow their work to Hamady.

As reported in the last **Convoy Dispatch**, Kroger reneged on its contractual obligation to its workforce when it sold 21 of its 35 western Michigan stores to Hamady. Kroger failed to insure that Hamady would take its drivers and warehousemen as part of the sale. Instead, Hamady disregarded seniority and picked only those workers it wanted.

For more than a month, Hamady operated without a Teamster contract. The Kroger workers who were not picked up initiated a petition to press the Local to make the top contract demand a hiring guarantee in seniority order from the Kroger workforce. More than 30 former Kroger workers joined TDU.

Local 406 turned a deaf ear to these members. When a con-

tract was put to the Hamady workers who had worked for Kroger, it was approved by a 47-17 margin. Unfortunately, they had not been sufficiently convinced by their former workmates that there would soon be enough work to keep the entire ex-Kroger workforce employed.

But the real blame for the contract falls on Local 406 Secretary Treasurer Robert Barnette who is responsible for the contract and was never serious about pursuing the demand of a hiring guarantee for the former Kroger workers.

The Kroger workers are undeterred. They are suing Kroger for breach of contract, as well as suing Local 406 and Hamady. They have stayed organized, putting up numerous pickets in front of the Local 406 hall. They are backed up by the Grand Rapids TDU Chapter, and have initiated a boycott of Hamady's stores. With the help of TDU their story is spreading throughout the Kroger system.

While their fight now be-

comes more difficult, they still have cause for hope. It is widely rumored that Hamady will take over the remaining Kroger stores sometime in February. This would mean additional hiring. If the Kroger case is made an important issue within the Local, one that Barnette can't forget about, Local 406 could be pushed to get Hamady to hire from the remaining ex-Kroger workers before hiring off the street.

## Springfield, Mo. Dairy Workers Strike

On Thursday November 6, about 240 workers at Mid-American dairy in Springfield Missouri walked off the job after their contract had expired at midnight Wednesday.

Their walkout was met with resistance from the company—of course—but initially from the union as well. Norwood Little, a Local 245 BA, agreed with the company officials on the day of the walkout that it was 'illegal'.

The Mid-Am workers kept the dairy shut down until



Grand Rapids Kroger leader and TDU member Ken Wood addresses a meeting of ex-Kroger workers where more than 30 joined TDU. Kroger has "blacklisted" their former Grand Rapids workforce from transferring to other Kroger divisions. Word is being spread throughout the Kroger system through the Kroger Connection newsletter.

Saturday. On Saturday and then returned to work, awaiting a strike vote on Monday, November 10. The reason for the delay was that the BA in charge of Milk, Bernard Morris, was "out of town." Mid-Am of course took full advantage of this delay, asking employees to work up to 12 hour shifts to haul extra shipments out of the plant, strengthening the company's position in a strike.

Once the strike vote was held

the workers voted overwhelmingly to strike, 163-67. The strike got a boost by the extension of pickets to other dairies, keeping them from processing Mid-Am's raw milk (raw milk is a perishable commodity).

At this writing there is no news of the strike's outcome. Springfield TDU, however, has pledged its full support of the strikers and offered to help in any way it can.



## Scab Carhauleders in Ca.

by Jim Jordan  
Insured Transporters Inc.  
Local 490, Fremont, CA

General Overland Auto Transport (GOAT) has been using a non-union carrier, Western Auto Transport (WAT) of Concord, Calif. to haul overflow traffic out of the Datsun yard in Benicia in violation of Article 46 of the Western Conference Area Supplement of the carhaul contract.

Quite naturally, laid off carhauleders (not to mention those still working) are more than a little upset and Local 490 officials have been approached on several occasions about what action they were going to take. The problem has also been brought up at General Meetings in Vallejo, California.

Although 490 BA Lloyd Adcock has contacted GOAT management several times concerning this violation of the agreement, nothing seemed to happen—that is, until recently. Now we are seeing other Teamster carriers hauling Datsuns, notably Commercial Carriers, Convoy Company, and Pasha Truckaway. GOAT has also added one driver, maybe two by the time this goes to press.

At a recent meeting between Local 490 BA Lloyd Adcock and GOAT management, Adcock was told that WAT would not be

## E&L Ratting on Agreement?

Last August E & L Transport agreed to offer jobs, as work became available, to the former Local 299 carhauleders of Automobile Transport, Inc. The ATI drivers were thrown out of work when Ford shifted its Wayne, Michigan traffic from ATI to E

& L, forcing ATI into bankruptcy.

The agreement with E & L was achieved by Local 299 President Pete Karagozian and carhaul BA Jim Mooneyham. The verbal agreement reached on August 18, 1980 was summed up in a letter to E & L from Karagozian dated September 5, 1980.

It now appears that E & L management is ratting on the deal. On November 17 E & L hired eight ATI drivers at its Woodhaven, Michigan facility. The eight were not from the top of the seniority list, though they had worked a week for E & L out of Lorain, Ohio last spring. On the same day Local 299 received a letter from E & L Personnel Director Larry Murray claiming E & L had never agreed to hire the ATI drivers in seniority order. Murray did not explain why he had waited well over two months from the time Local 299 wrote E & L on September 5 with the Union's understanding of the agreement.

E & L has now gone on to call other ATI drivers to work with no apparent regard for seniority or even work record and qualifications. E & L does appear to be bypassing many older drivers who need to complete their pension requirements and some of those known as strong union supporters.

Some Woodhaven E & L drivers seem to be preoccupied with the bitter divisions resulting from the recent merger of E & L's Wixom and Dearborn terminals at Woodhaven. Thus far they have not put effective pressure on E & L to carry out the fair hiring program.



Jim Jordan, Local 490

used, except as a way of recovering damage claims that might arise. Apparently WAT is a little slow in paying their claims, although it's reported by reliable sources that the drivers themselves must pay 1/2 of their damages. (Wonder who determines responsibility?) This could get a little tough, as WAT drivers reportedly get 25% of the revenue (after GOAT gets 10% off the top).

Adcock told GOAT management the way to recover claims was through the courts. Of course TDU's concern is Teamster jobs, not recovering claims from fly-by-night operators.

GOAT has also been using 2 non-union trucks owned by Subaru of America. Attempts are being made to organize, and hopefully this can be done in short order. We cannot afford anymore erosion of Teamster jobs in an industry that has been devastated with the loss of thousands of jobs.



## McNicholas Steward Fired

Since the last issue of **Convoy Dispatch** went to press, there have been some interesting developments in the case of Local 800 steward Joe Ostroff. Ostroff was fired in October, first by the Union from his steward's position and then by his employer McNicholas on a trumped up charge of refusing a work assignment.

A decision has been reached by the JC 40 grievance panel which heard the grievance on November 6.

Local 800 BA Charles Carelli, together with Ostroff and Rich Shaginaw, a union witness, presented a 6 page brief with 9 separate exhibits. This followed a 3 page brief presented by McNicholas Vice President Jim McNicholas that ended: "In summary, we have been informed that Joe Ostroff was determined to attend the TDU Convention in Cleveland, Ohio regardless of his work assignment."

The panel, which consisted of Armstrong, O'Conner, and Churko for the companies and Ellsworth, JC 40 Organizer Titus McCue, and Zavarchek for the Union, deliberated for all of 5 minutes after the hearing. One week later, the decision was announced: "Based on the facts presented, the claim of the union is denied."

It is the view of every driver

we talked to that any other driver would have been allowed to go directly home when faced with an emergency at home, but Joe Ostroff was denied that right. We can only conclude that this was because of his activity as steward and especially his activity in TDU. This union activity is the basis of an NLRB suit he has now filed against McNicholas. Our hope is that the NLRB will look at the facts more fairly.

## Helms 72% Challenged

Helms Express Astro Division is being challenged on their illegal 72% lease arrangement. On November 6, 1980 a master grievance filed by a Local 800 steward, "Mo" Ostroff, was heard at JC 40 grievance panel. The panel deadlocked and the grievance will now go to the Eastern Conference.

It had been reported that Helms was to meet with the Owner-Operators after 90 days to determine whether or not the company could afford to go back to the full 75% that they had agreed to in the contract. To the best of our knowledge, no driver has ever been contacted by Helms to review this, even though 90 days has long since passed.



## Will There be a Delegate Election in Your Local?

# IBT Convention Nears !!!!!

The IBT Convention is coming up in mid-1981. It's an event that comes along once every five years. It is where the important decisions that affect our Union are made. These decisions include:

•Who will be the next President of the IBT.

•How much per capita dues our locals will pay the International (and therefore how high our dues will be to cover the

costs).

•Officers Salaries. At the last Convention they raised the salaries of the International Officers. Only TDU's Pete Camarata voted against this move. What position will your Local's delegates take this time?

•Your Right to Vote. Any effort to win the right to strike, the right to Elect Union Officers or your right to ratify contracts by Majority Rule—all this is

decided at the IBT Convention.

Even though the Convention is still seven months away, plans are being made now. Plans to have resolutions introduced by locals across North America on these issues and plans to elect delegates where possible.

All locals are guaranteed the right to submit resolutions or amendments to the Constitution. This can be done next Spring at a local meeting.

Some locals will get to elect delegates to the Convention. Locals in our union, unfortunately do not all elect delegates. The Executive Board members chose among themselves who the delegates will be, up to seven.

But locals which have 5,876 or more are entitled to more than seven delegates, therefore the seven members of the Executive Board are not enough. These locals, unless they have elected BAs who they can designate, must hold elections for the remaining delegates.

TDU urges all members of these larger locals to plan now to run a slate of delegates, of people pledged to rank & file reform, and people who will actually stand up for it.

The elections will not be until next Spring. But planning is needed now. A list of locals which sent more than seven delegates to the 1976 Convention is on this page.

If you are interested in participating in this all important chance to reform our union, it's

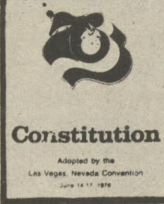
### List of Locals which sent more than 7 delegates to the 1976 IBT Convention and may be holding elections.

|                               |                               |
|-------------------------------|-------------------------------|
| Local 20, Toledo, Ohio        | Local 618, St. Louis, Mo.     |
| Local 25, Boston, Mass.       | Local 630, Los Angeles, Ca.   |
| Local 31, Vancouver, B.C.     | Local 639, Washington, D.C.   |
| Local 41, Kansas City, Mo.    | Local 667, Memphis, Tenn.     |
| Local 63, Los Angeles, Ca.    | Local 670, Salem, Oregon      |
| Local 70, Oakland, Ca.        | Local 676, Collingwood, N.J.  |
| Local 89, Louisville, Ky.     | Local 688, St. Louis, Mo.     |
| Local 97, Newark, N.J.        | Local 692, Long Beach, Ca.    |
| Local 100, Cincinnati, Ohio   | Local 705, Chicago, Ill.      |
| Local 106, Montreal, Quebec   | Local 710, Chicago, Ill.      |
| Local 107, Philadelphia, Pa.  | Local 714, Chicago, Ill.      |
| Local 120, St. Paul, Minn.    | Local 728, Atlanta, Ga.       |
| Local 135, Indianapolis, Ind. | Local 738, Chicago, Ill.      |
| Local 169, Philadelphia, Pa.  | Local 743, Chicago, Ill.      |
| Local 174, Seattle, Wa.       | Local 745, Dallas, Texas      |
| Local 200, Milwaukee, Wi.     | Local 748, Modesto, Ca.       |
| Local 210, New York, N.Y.     | Local 773, Allentown, Pa.     |
| Local 213, Vancouver, B.C.    | Local 781, Chicago, Ill.      |
| Local 214, Detroit, Mi.       | Local 807, N.Y.C., N.Y.       |
| Local 237, New York, N.Y.     | Local 810, Jamaica, N.Y.      |
| Local 249, Pittsburgh, Pa.    | Local 815, Englewood N.J.     |
| Local 270, New Orleans, La.   | Local 831, New York, N.Y.     |
| Local 294, Albany, N.Y.       | Local 856, San Francisco, Ca. |
| Local 299, Detroit, Michigan  | Local 863, Newark, N.J.       |
| Local 337, Detroit, Michigan  | Local 886, Oklahoma City, Ok. |
| Local 377, Youngstown, Ohio   | Local 890, Salinas, Ca.       |
| Local 391, Greensboro, N.C.   | Local 901, Santurce, P.R.     |
| Local 406, Grand Rapids, Mi.  | Local 938, Mississauga, Ont.  |
| Local 407, Cleveland, Oh.     | Local 945, Patterson, N.J.    |
| Local 413, Columbus, Oh.      | Local 946, Delano, Ca.        |
| Local 429, Reading, Pa.       | Local 952, Orange, Ca.        |
| Local 528, Atlanta, Ga.       | Local 959, Anchorage, Alaska  |
| Local 554, Omaha, Nebraska    | Local 986, Los Angeles, Ca.   |
| Local 560, Union City, N.J.   | Local 1145, Minneapolis, Mn.  |
| Local 600, St. Louis, Mo.     | Local 2707, Los Angeles, Ca.  |

not to late to start. Planning should begin now. The TDU office has the details and is preparing packets of information on your rights regarding the Convention and the rank & file program being developed. Already Local 213, the largest in Canada, has passed a motion at their November membership

meeting instructing the Executive Board to conduct a referendum vote among the members for their delegates to the Convention.

For any member who wants a change in our International Union — this our chance to unify and make a national impact.



## CHANGE IT!

by  
**Doug Allan**

## Why We Need a Direct Membership Vote on Officers

The most powerful officers in our union are those at the International level. The General President has almost dictatorial powers.

Yet the International Officers are not elected by the rank & file. They are elected once every 5 years at the IBT Convention. That Convention is attended by Officials and in the case of a few large locals, a few elected delegates.

That Convention is also the only place where it is possible to change this system of how our officers are elected.

That is why TDU is introducing the following resolution calling for Direct Membership Vote on Officers. It reads, in part:

The International Officers of

the Union shall be elected by the members every three years, beginning with the adoption of this amendment to the Union's Constitution.

This resolution was passed by the Rank & File Convention in October. It provides for the same sort of democratic procedures that other unions have. If the Mine Workers or Steel Workers can elect their president, why can't we do it as Teamsters?

Ask your local officers where they stand on this issue. And if there are elections for extra delegates in your local, make sure that a candidate takes a stand on this crucial issue before you give him or her your support.

## TDU LEADER WINS IN WESTERN PA LOCAL 585

"I think this is not only a victory for myself and TDU, but a clear victory for democratic unionism."

That's how Charlie Brown summed it up after winning a Trustee position in Local 585 in Western Pennsylvania.

It was the first time in recent memory that Jim Beros, the Secretary-Treasurer had tasted defeat. Beros recently gained control of Joint Council 40, covering the Pittsburgh region, with the backing of the International.

Brown is a founding member and long time activist in TDU and Beros' most vocal critic at local meetings, even when others were too intimidated to support his efforts.

Obviously, Charlie Brown's job will not be easy. He will be the only reform officer on the Executive Board.

The first major test of rank & file willingness to fight for democratic control will be the vote against the Beros-backed bylaws amendment calling for appointed BAs.

Brown stated on his victory:

"First, I want to extend my sincere thanks to all who voted for me. I believe I won because of the principles I ran on and because there are many members out there who may not be members of TDU but who believe in the democratic principles we stand for."

### What it Means

There is a lesson for a lot of Teamsters in this election. Charlie Brown has worked hard for the past few years as a TDUer, often with little visible support. But that support is growing, and he has hung in there to help organize it and

In St. Louis Local 600 the incumbents are being challenged by a Coalition slate of candidates. The rank & file are finding out the power of cooperation — and the incumbent Pres-



Charlie Brown, Local 585

make it effective. As one officer, he can do little on the Executive Board by himself. But as a committed TDU activist he is now in a much better position to work with members who want to fight for democracy.

## Incumbents Run Wild in St. Louis Local 600

ident Teddy Welch is discovering panic.

In mid-November, TDU member Lee Roth attempted to ask Teddy Welch a few questions on issues affecting the local. Roth and other members of a local reform group called the 'Central Committee' were trying to find out where the candidates stood on the issues and wanted to publish their results for the members as a "voters guide."

But Welch did not take kindly to this opportunity to answer questions. When Roth presented the questions to him at the Executive International Inn hotel, he refused to answer them. Then he threatened to break Brother Roth's jaw and head if this fact were made public or published. Welch, with the aid of 3 BAs, then proceeded to get Roth into a hallway, chasing him through the hotel corridors screaming and cursing. When the police arrived the gallant BAs reported how Roth had started the

fight by threatening and frightening the four of them. Roth then inquired, "How could they be threatened and frightened by a list of questions?"

A follow up visit from a BA on the following morning provided the opportunity for another threat. The BA told Roth he would 'bust his head' if an account of what happened was published. Roth says: "The moral of the story is when incumbents have done a lousy job they get real testy about questions. They would rather argue, fight, and cuss than face the music."

And in related developments, a Chicago Transcon driver who was put to bed in a St. Louis motel discovered that the company was handing out ballots and telling drivers that they had better vote for Welch or find another job. The driver contacted TDU who put him in touch with rank & filers in St. Louis. The result: the Transcon men have joined the opposition campaign to oust Welch.